

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

GRACIE E. McBROOM,

Plaintiff,

v.

CASE NO. 2:12-cv-1074  
JUDGE MARBLEY  
MAGISTRATE JUDGE KING

HR DIRECTOR FRANKLIN COUNTY  
BOARD OF ELECTIONS,

Defendant.

**ORDER**

Plaintiff asserts claims of race discrimination under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000-5, and infliction of emotional distress. On November 21, 2012, the United States Magistrate Judge recommended that the claims against defendant Assistant Prosecuting Attorney Scott J. Gaugler, who represented respondent in the proceedings before the Ohio Civil Rights commission, be dismissed. *Order and Report and Recommendation*, Doc. No. 7. This matter is now before the Court on plaintiff's objections. *Objection*, Doc. No. 9. The Court will consider the matter *de novo*. See 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b).

In recommending the dismissal of the claims against defendant Gaugler, the Magistrate Judge noted that plaintiff did not allege an employment relationship between her and this defendant and that, indeed, the *Complaint* contains no allegations whatsoever against this defendant. Plaintiff's objections do not address the reasoning of the Magistrate Judge. Rather, plaintiff – who is proceeding without the assistance of counsel

– argues only that certain portions of the decision of the Ohio Civil Rights Commission are inadmissible in this action. *Objection.*

Because plaintiff's *Objection*, Doc. No. 9, does not challenge the recommendation of the Magistrate Judge, the *Report and Recommendation*, Doc. No. 7, is **ADOPTED AND AFFIRMED.**

The claims against defendant Gaugler are **DISMISSED.**<sup>1</sup>

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s/Algenon L. Marbley

Algenon L. Marbley  
United States District Judge

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<sup>1</sup> Because the Court will consider plaintiff's Title VII claim *de novo*, neither the parties nor the Court are bound by the decision of the Ohio Civil Rights Commission.